

STATE OF IOWA  
DEPARTMENT OF COMMERCE  
UTILITIES BOARD

IN RE:  AREA CODE 319 RELIEF PLAN	DOCKET NO. SPU-99-30
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**ORDER DOCKETING PROPOSAL AND  
SETTING PROCEDURAL SCHEDULE**

(Issued March 31, 2000)

**INTRODUCTION AND SUMMARY**

On November 1, 1999, the North American Numbering Plan Administrator (NANPA) filed, on behalf of the Iowa telecommunications industry, a petition for approval of an overlay relief plan for area code number exhaustion relief for the 319 area code. According to the petition, it is estimated that without Numbering Plan Area (NPA) relief, the 319 NPA will exhaust during the third quarter of 2002. Attached to the petition were ten relief alternatives for the 319 NPA.

NANPA filed the recommendation with the Board pursuant to 47 C.F.R. § 52.19(a), which delegates responsibility to the Board to determine the most appropriate form of relief when an Iowa area code is near exhaustion. The most common forms of relief are discussed in the Background section of this order. The petition recommends adoption of an all services distributed overlay alternative that would overlay a new area code on the same geographic area covered by the

existing 319 NPA. Any Board action must be consistent with the applicable federal guidelines.

The Board will use a notice-and-comment proceeding to seek public input on the issues relating to area code relief. This will include filed statements of position, counter-positions, and a hearing. The Board will also conduct a series of combined public information/customer comment meetings to seek additional input from affected customers. All of the information received in this docket will be considered by the Board in its determination of the appropriate form of relief for the 319 area code.

### **BACKGROUND**

The present system of NPAs, which are also sometimes referred to as area codes, was established in 1947, when the North American Numbering Plan (NANP) was established. Iowa was originally assigned three NPAs: 319, 515<sup>1</sup>, and 712. Each NPA is divided into a number of central offices, or rate centers, with each rate center assigned one or more central office codes (also known as "NXX" codes or prefixes), which are the first three digits of a typical seven-digit telephone number. Central office codes are used by some carriers, especially the wireline carriers, for call routing and billing purposes. Once an NXX code is assigned to a particular central office, carriers are able to base their charges for long distance telephone calls on the distance between the rate center from which the call originates and the rate

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<sup>1</sup> The Board recently issued an order on area code relief for the 515 NPA, see "Order Approving Geographic Split To Provide Numbering Plan Relief For The 515 Area Code," issued February 24, 2000, in Docket No. SPU-99-22.

center where the call terminates. Thus, NXX codes are an integral part of addressing calls, routing them through the telephone network, and billing for them.

Each central office code, or prefix, represents about 10,000 possible telephone numbers. There are 792 central office codes available for use in each area code. Currently, each company providing local exchange service is assigned at least one entire prefix for each rate center it wants to serve. As a result, telephone numbers are assigned in blocks of 10,000.

On March 17, 2000, the FCC adopted new policies and rules to reduce the need for new area codes, avoiding the inconvenience, costs, and confusion associated with changes in area codes for consumers and businesses. According to its news release,

[A]dditionally, the new rules will make the existing telephone numbering system more compatible with the increasingly competitive telecommunications environment. The rapid use of telephone numbering resources is being driven by several factors, including the increase in the number of new competitors, the introduction of new technologies, such as wireless telephones, the spread of new services, such as Internet, data, and facsimile services, and the way our numbering resources are currently managed.

The specifics of the FCC's action have not yet been released in a formal FCC order but are expected soon. The Board will review that order when it is issued, but at present the Board tentatively concludes that any numbering plan changes resulting from the FCC order are unlikely to affect the projected exhaust date for the 319 NPA. Accordingly, the Board is initiating this proceeding.

When an area code is running out of prefixes, there are a limited number of relief options available, including geographic split, overlay, and area code boundary realignment. The boundary realignment is usually rejected because it might require changing the seven-digit telephone numbers for potentially large groups of customers. In a geographic split, one part of the affected area keeps the old area code while the rest of the area receives a new area code. This means that approximately one-half of the existing customers have to change to a new area code, requiring reprinting of business stationery and related materials, reprogramming of automatic dialers, and other disruptions. In an overlay, a new area code is added within the same territory as the existing area code; the new code and the old code serve the same area simultaneously. Under this system, no existing customer has a telephone number change, but the regulations of the FCC require that everyone dial the area code when making local calls, in addition to the normal seven digits. 47 C.F.R. § 52.19(c)(3)(ii). This also requires reprogramming of automatic dialing devices and similar disruptions.

NANPA monitors the allocation of prefixes in each area code. When it appears an area code is going to run out of central office codes, NANPA initiates a relief process. The first step is a meeting of industry representatives, at which any technical issues can be discussed. This meeting of the industry generally results in a consensus telephone industry recommendation that is filed with the state agency with regulatory jurisdiction over the area code; for the 319 area code, that agency is the

Board. Pursuant to that process, NANPA filed its November 1, 1999, petition with the Board, conveying the industry recommendation in favor of the overlay option, with a permissive implementation date of August 4, 2001, and mandatory area code dialing beginning on February 4, 2002.

### **JURISDICTION**

The Communications Act of 1934, as amended by the Telecommunications Act of 1996, gives the FCC plenary jurisdiction over numbering issues.

47 U.S.C. § 251(e)(1). The statute permits the FCC to delegate all or a portion of its jurisdiction to state public utility regulatory bodies such as the Board.

The FCC exercised its authority to delegate to state agencies when it adopted 47 C.F.R. § 52.19(a), which provides:

State commissions may resolve matters involving the introduction of new area codes within their states. Such matters may include, but are not limited to: Directing whether area code relief will take the form of a geographic split, an overlay area code, or a boundary realignment; establishing new area code boundaries; establishing necessary dates for the implementation of area code relief plans; and directing public education and notification efforts regarding area code changes.

However, any state action pursuant to this delegated authority must be "consistent with the guidelines enumerated in this part." See 47 C.F.R. § 52.19(b).

**CUSTOMER COMMENT MEETINGS/  
PUBLIC INFORMATION MEETINGS**

The Board is scheduling ten meetings in the current 319 area code to conduct public information sessions and to receive comment from the general public. One purpose of the meetings is to educate the interested public about the process the Board will be using and the options available to the Board. The meetings will also provide an opportunity for general public comment regarding the issues before the Board. The meetings will be recorded by a court reporter to provide an accurate record for the agency. Meeting locations, dates, and starting times are shown in the following table.

<b><u>DATE</u></b>	<b><u>TIME</u></b>	<b><u>LOCATION</u></b>
April 25, 2000	2 p.m.	Grout Museum, 503 South Street, Waterloo
April 25, 2000	7:30 p.m.	Clarke College, 1550 Clarke Drive, Dubuque. Mary Josita Hall, The West Locust Dining Room.
April 26, 2000	10 a.m.	Graphic Arts Technology Center, 1951 Manufacturing Drive, Clinton. Room #100.
April 26, 2000	2 p.m.	Davenport Public Library, 321 Main Street, Davenport.
April 26, 2000	7:30 p.m.	University of Iowa, Phillips Hall, Room #100, Iowa City.
April 27, 2000	10 a.m.	Coe College, 1220 1 <sup>st</sup> Ave. NE, Cedar Rapids. Lynch Room, lower level of The Union.

April 27, 2000	7:30 p.m.	Fort Madison Middle School Auditorium, 18 <sup>th</sup> and G Street, Fort Madison. Note: The building is labeled "High School."
April 28, 2000	10 a.m.	Henry County Health Center, 407 South White, Mt. Pleasant.
May 2, 2000	2 p.m.	Central State Bank, 200 N. Main, Elkader.
May 2, 2000	7:30 p.m.	Decorah Senior High School Auditorium, 100 Claiborne Drive, Decorah.

Each meeting will start with a presentation by the Board or its staff describing the national area code process, the causes of number exhaust, the range of possible solutions, and an overview of the procedures the Board will be using in this docket. Handouts with information related to area code relief will be provided to the attending public, as well.

After the presentation, the public will be invited to submit comments on the telephone industry recommendation and any other options. Commentors will not be sworn or subject to cross-examination, although they may be informally questioned to clarify their views. Depending upon the level of interest, it may be necessary to set reasonable time limits on the comments submitted by each individual; that is a determination that will have to be made at each site, based upon the number of people indicating a desire to comment.

In order to encourage public participation in this process, the Board will issue a press release describing the meetings and inviting the public to attend.

### **NOTICE AND COMMENT PROCEEDING**

A separate, more formal notice and comment proceeding will be scheduled to receive comment from the telephone industry, the Consumer Advocate Division of the Department of Justice, and any other interested persons who may have views on the issues that require more time for presentation. The Board expects such interested persons may include, among others, alarm companies, commercial telephone customers, and any others who believe they may be particularly affected by area code relief. All of these parties are encouraged to submit their comments through this more formal mechanism, because extensive specialized submissions at the public comment meetings could unduly extend the meetings or unfairly limit the time available for individual comments.

The Board is inviting written statements regarding all aspects of area code relief, but is particularly interested in comments from customers regarding the costs and benefits of different forms of area code relief. The Board also expects to receive comment from the telephone industry regarding the best form of public education campaign available to inform customers of the changes that must be made.

This more formal part of the docket will be conducted with sworn, written comments and reply comments, followed by a hearing at which each commentor can expand upon the key points in their written comments and respond to questions from the Board and from other participants. This proceeding will be open to the public and transcribed for the agency record. Witnesses will be sworn in and made available for



cross-examination. All parties to the proceeding will be provided an opportunity to file briefs addressing any legal issues that may arise.

Following the notice and comment proceeding, the Board will decide on a number relief alternative and an implementation schedule for the selected relief measure before the 319 area code is exhausted.

### **ORDERING CLAUSES**

#### **IT IS THEREFORE ORDERED:**

1. The petition filed by the North American Numbering Plan Administrator on behalf of the Iowa telecommunications industry on November 1, 1999, is docketed as Docket No. SPU-99-30.

2. The following procedural schedule is established:

a. Public education and customer comment meetings will be held at the following locations at the time and date shown:

(1) April 25, 2000, at 2 p.m. Grout Museum, 503 South Street, Waterloo, Iowa.

(2) April 25, 2000, at 7:30 p.m. Clarke College, Mary Josita Hall, West Locust Dining Room, 1550 Clarke Drive, Dubuque, Iowa.

(3) April 26, 2000, at 10 a.m. Graphic Arts Technology Center, Room #100, 1951 Manufacturing Drive, Clinton, Iowa.

(4) April 26, 2000, at 2 p.m. Davenport Public Library, Film Room, 321 Main Street, Davenport, Iowa.

(5) April 26, 2000, at 7:30 p.m. University of Iowa, Phillips Hall, Room #100, Iowa City, Iowa.

(6) April 27, 2000, at 10 a.m. Coe College, lower level of The Union, Lynch Room, 1220 1<sup>st</sup> Ave. NE, Cedar Rapids, Iowa.

(7) April 27, 2000, at 7:30 p.m. Fort Madison Middle School, Auditorium, 18<sup>th</sup> and G Street, Fort Madison, Iowa.

(8) April 28, 2000, at 10 a.m. Henry County Health Center, 407 South White, Mt. Pleasant, Iowa.

(9) May 2, 2000, at 2 p.m. Central State Bank, 200 N. Main, Elkader, Iowa.

(10) May 2, 2000, at 7:30 p.m. Decorah Senior High School, Auditorium, 100 Claiborne Drive, Decorah, Iowa.

All public education and comment hearings will begin with a presentation by the Board or its staff describing the national area code process, the causes of number exhaust, the range of possible solutions, and the procedures the Board will be using in this docket. The presentation will be followed by an opportunity for customer comment. Individual comment time may be limited if necessary to provide all interested persons with an opportunity to comment within the available meeting time.

b. Any interested person may file, on or before June 26, 2000, a statement of position concerning 319 area code relief. Statements of position

must substantially comply with 199 IAC 2.2(2). Ten copies must be filed with the original. All written statements should clearly state the author's name and address and should make specific reference to Docket No. SPU-99-30.

c. Any person filing a statement of position may file a counter-statement replying to the comments of other participants no later than July 24, 2000. Ten copies must be filed with the original and copies must be served upon all participants filing statements to which the counter-statement responds. Counter-statements must substantially comply with 199 IAC 2.2(3).

d. All statements and counter-statements shall be sworn and directed to the Executive Secretary, Iowa Utilities Board, 350 Maple Street, Des Moines, Iowa 50319-0069.

e. An oral presentation is scheduled for the purpose of taking sworn testimony concerning the statements and counter-statements. The oral presentation shall be held August 22, 2000, beginning at 10 a.m. in the Board's hearing room at 350 Maple Street, Des Moines, Iowa. All persons filing written statements should have at least one witness available at the oral presentation who may be cross-examined on the subject matter of the written statement. (Written statements that are not supported by a witness will be considered by the Board, but may be accorded less weight in the Board's deliberations.) Cross-examination may be by the Board, the Consumer Advocate Division of the Department of Justice, and other participants as the

Board may deem appropriate to develop the record fully. Persons with disabilities requiring assistive services or devices to observe or participate should contact the Board at 515-281-5256 in advance of the scheduled date to request that appropriate arrangements be made.

f. Any person filing a statement of position, counter-statement, or participating at the oral presentation may submit a brief legal argument, substantially complying with the requirements of 199 IAC 7.7(12), no later than September 11, 2000.

**UTILITIES BOARD**

/s/ Allan T. Thoms

/s/ Susan J. Frye

ATTEST:

/s/ Raymond K. Vawter, Jr.  
Executive Secretary

/s/ Diane Munns

Dated at Des Moines, Iowa, this 31st day of March, 2000.